

Attorney Docket No.  
11321-P011 Series



**AMENDED DECLARATION AND POWER OF ATTORNEY FOR  
U.S. NATIONAL PHASE PATENT APPLICATION  
CLAIMING PRIORITY TO PCT APPLICATION  
(37 CFR 1.63)**

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As below named inventors, we hereby declare that:

Our residence, post office address and citizenship are as stated below next to our names.

We believe that we are original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**MACROSCOPICALLY MANIPULATE NANOSCALE DEVICES MADE FROM  
NANOTUBE ASSEMBLIES**

the specification of which:

- ☐ is attached hereto; or
- ☒ was filed on November 30, 2001 as a Continuation Application Number 10/000,746 (Attorney Docket No. 11321-P011WUC1) of U.S. National Phase of 09/242,040 and PCT Application Number PCT/US97/13896 which published as WO 98/05920 on February 12, 1998, corresponding to United States Provisional Patent Application No. 60/023,732, filed August 8, 1996.

The following divisionals of United States Patent Application Serial No. 10/000,746 have been filed (the "Divisional Patent Applications"):

Appl. Serial No.	Att. Docket No.	Continuity Type:	Filing Date:
10/028,231	11321-P011C1D1	Divisional	December 21, 2001
10/027,671	11321-P011C1D2	Divisional	December 21, 2001
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10/027,753	11321-P011C1D4	Divisional	December 21, 2001
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10/027,750	11321-P011C1D7	Divisional	December 21, 2001
10/027,726	11321-P011C1D8	Divisional	December 21, 2001
10/027,628	11321-P011C1D9	Divisional	December 21, 2001
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**FULL NAME OF FIRST INVENTOR:** COLBERT, Daniel T.

**INVENTOR'S SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**RESIDENCE:** 1911 Milford St., Houston, TX 77098 USA

**CITIZENSHIP:** United States of America

**POST OFFICE ADDRESS: (Same as Residence)**

Attorney Docket No.  
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FULL NAME OF SECOND INVENTOR: **DAI, Hongjie**

INVENTOR'S SIGNATURE: Hongjie DAI DATE: 2/27/03

RESIDENCE: **365 Pescadero Terrace, Sunnyvale, CA 94086 USA**

CITIZENSHIP: **United States of America**

POST OFFICE ADDRESS: **(Same as Residence)**

FULL NAME OF THIRD INVENTOR: **HAFNER, Jason H.**

INVENTOR'S SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

RESIDENCE: **373 Highland Ave. #203, Somerville, Massachusetts 02144 USA**

CITIZENSHIP: **United States of America**

POST OFFICE ADDRESS: **(Same as Residence)**

FULL NAME OF FOURTH INVENTOR: **RINZLER, Andrew G.**

INVENTOR'S SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

RESIDENCE: **1713 SW 186<sup>th</sup> St., Newberry, Florida 32669 USA**

CITIZENSHIP: **United States of America**

POST OFFICE ADDRESS: **(Same as Residence)**

FULL NAME OF FIFTH INVENTOR: **SMALLEY, Richard E.**

INVENTOR'S SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

RESIDENCE: **1816 Bolsover St., Houston, TX 77081 USA**

CITIZENSHIP: **United States of America**

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**FULL NAME OF SIXTH INVENTOR: JIE LIU**

**INVENTOR'S SIGNATURE:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**RESIDENCE: 5825 Gulfton, Apartment 3214**  
**Houston, Texas 77081**

**CITIZENSHIP: U.S.A.**

**POST OFFICE ADDRESS: (Same as Residence)**

**FULL NAME OF SEVENTH INVENTOR: KENNETH A. SMITH**

**INVENTOR'S SIGNATURE:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**RESIDENCE: 333 Dominion, Apartment 1334**  
**Katy, Texas 77450**

**CITIZENSHIP: U.S.A.**

**POST OFFICE ADDRESS: (Same as Residence)**

**FULL NAME OF EIGHTH INVENTOR: TING GUO**

**INVENTOR'S SIGNATURE:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**RESIDENCE: 2612 Calder Court**  
**Davis, California 95616**

**CITIZENSHIP: CHINA**

**POST OFFICE ADDRESS: (Same as Residence)**

**FULL NAME OF NINTH INVENTOR: PAVEL NIKOLAEV**

**INVENTOR'S SIGNATURE:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**RESIDENCE: 2232 1/2 TROON**  
**Houston, Texas 77019**

**CITIZENSHIP: RUSSIA**

**POST OFFICE ADDRESS: (Same as Residence)**

**Attorney Docket No.**  
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**FULL NAME OF TENTH INVENTOR: ANDREAS THESS**

**INVENTOR'S SIGNATURE:\_\_\_\_\_ DATE:\_\_\_\_\_**

**RESIDENCE: Max-Planck-Institut Biochemie; Abteilung Molekulare,  
Strukturbiologie am Klopferspitz 189, D-82152 Martinsried, Germany**

**CITIZENSHIP: GERMANY**

**POST OFFICE ADDRESS: (Same as Residence)**

AUSTIN\_1\208783\1  
11321-P011WUC1 02/19/2003

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**INVENTOR'S SIGNATURE:**  **DATE:** 2/25/03

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**CITIZENSHIP:** **United States of America**

**POST OFFICE ADDRESS: (Same as Residence)**

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**FULL NAME OF SECOND INVENTOR: DAI, Hongjie**

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**CITIZENSHIP: United States of America**

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**FULL NAME OF THIRD INVENTOR: HAFNER, Jason H.**

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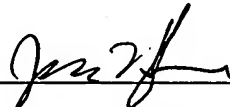
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**FULL NAME OF THIRD INVENTOR: HAFNER, Jason H.**

**INVENTOR'S SIGNATURE:**  \_\_\_\_\_ **DATE:** 03/06/03

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3610 Underwood, Houston, Texas, 77025, USA**

**CITIZENSHIP: United States of America**

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**FULL NAME OF FOURTH INVENTOR: RINZLER, Andrew G.**

**INVENTOR'S SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**RESIDENCE: 1713 SW 186<sup>th</sup> St., Newberry, Florida 32669 USA**

**CITIZENSHIP: United States of America**

**POST OFFICE ADDRESS: (Same as Residence)**

**FULL NAME OF FIFTH INVENTOR: SMALLEY, Richard E.**

**INVENTOR'S SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**RESIDENCE: 1816 Bolsover St., Houston, TX 77081 USA**

**CITIZENSHIP: United States of America**

**POST OFFICE ADDRESS: (Same as Residence)**

**Attorney Docket No.**  
**11321-P011 Series**

**FULL NAME OF SIXTH INVENTOR: JIE LIU**

**INVENTOR'S SIGNATURE:**\_\_\_\_\_

**DATE:**\_\_\_\_\_

**RESIDENCE: 5825 Gulfton, Apartment 3214**  
**Houston, Texas 77081**

**CITIZENSHIP: U.S.A.**

**POST OFFICE ADDRESS: (Same as Residence)**

**FULL NAME OF SEVENTH INVENTOR: KENNETH A. SMITH**

**INVENTOR'S SIGNATURE:**\_\_\_\_\_

**DATE:**\_\_\_\_\_

**RESIDENCE: 333 Dominion, Apartment 1334**  
**Katy, Texas 77450**

**CITIZENSHIP: U.S.A.**

**POST OFFICE ADDRESS: (Same as Residence)**

**FULL NAME OF EIGHTH INVENTOR: TING GUO**

**INVENTOR'S SIGNATURE:**\_\_\_\_\_

**DATE:**\_\_\_\_\_

**RESIDENCE: 2612 Calder Court**  
**Davis, California 95616**

**CITIZENSHIP: CHINA**

**POST OFFICE ADDRESS: (Same as Residence)**

**FULL NAME OF NINTH INVENTOR: PAVEL NIKOLAEV**

**INVENTOR'S SIGNATURE:**\_\_\_\_\_

**DATE:**\_\_\_\_\_

**RESIDENCE: 2232 ½ TROON**  
**Houston, Texas 77019**

**CITIZENSHIP: RUSSIA**

**POST OFFICE ADDRESS: (Same as Residence)**

**Attorney Docket No.**  
**11321-P011 Series**

**FULL NAME OF TENTH INVENTOR: ANDREAS THESS**

**INVENTOR'S SIGNATURE:\_\_\_\_\_ DATE:\_\_\_\_\_**

**RESIDENCE: Max-Planck-Institut Biochemie; Abteilung Molekulace,  
Strukturbiologie am Klopferspitz 189, D-82152 Martinsried, Germany**

**CITIZENSHIP: GERMANY**

**POST OFFICE ADDRESS: (Same as Residence)**

AUSTIN\_11208783\1  
11321-P011WUC1 02/19/2003

Attorney Docket No.  
11321-P011 Series



**AMENDED DECLARATION AND POWER OF ATTORNEY FOR  
U.S. NATIONAL PHASE PATENT APPLICATION  
CLAIMING PRIORITY TO PCT APPLICATION  
(37 CFR 1.63)**

RECEIVED  
JUL 14 2003  
GROUP 1700

As below named inventors, we hereby declare that:

Our residence, post office address and citizenship are as stated below next to our names.

We believe that we are original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**MACROSCOPICALLY MANIPULATE NANOSCALE DEVICES MADE FROM  
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- ☐ is attached hereto; or
- ☒ was filed on November 30, 2001 as a Continuation Application Number 10/000,746 (Attorney Docket No. 11321-P011WUC1) of U.S. National Phase of 09/242,040 and PCT Application Number PCT/US97/13896 which published as WO 98/05920 on February 12, 1998, corresponding to United States Provisional Patent Application No. 60/023,732, filed August 8, 1996.

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10/028,231	11321-P011C1D1	Divisional	December 21, 2001
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				Yes	No
[ORIGINAL BASE/PRIORITY APPLICATION]			<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Austin, Texas 78701 USA

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**FULL NAME OF FIRST INVENTOR: COLBERT, Daniel T.**

**INVENTOR'S SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**RESIDENCE: 1911 Milford St., Houston, TX 77098 USA**

**CITIZENSHIP: United States of America**

**POST OFFICE ADDRESS: (Same as Residence)**

**Attorney Docket No.**  
**11321-P011 Series**

**FULL NAME OF SECOND INVENTOR: DAI, Hongjie**

**INVENTOR'S SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**RESIDENCE: 365 Pescadero Terrace, Sunnyvale, CA 94086 USA**

**CITIZENSHIP: United States of America**

**POST OFFICE ADDRESS: (Same as Residence)**

**FULL NAME OF THIRD INVENTOR: HAFNER, Jason H.**

**INVENTOR'S SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**RESIDENCE: 373 Highland Ave. #203, Somerville, Massachusetts 02144 USA**

**CITIZENSHIP: United States of America**

**POST OFFICE ADDRESS: (Same as Residence)**

**FULL NAME OF FOURTH INVENTOR: RINZLER, Andrew G.**

**INVENTOR'S SIGNATURE:**  \_\_\_\_\_ **DATE:** 6/19/03

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**FULL NAME OF FIFTH INVENTOR: SMALLEY, Richard E.**

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**Attorney Docket No.**  
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**INVENTOR'S SIGNATURE:**\_\_\_\_\_ **DATE:**\_\_\_\_\_

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AUSTIN\_1\208783\1  
11321-P011WUC1 02/19/2003

Attorney Docket No.  
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**CITIZENSHIP:** United States of America

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**Attorney Docket No.**  
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**FULL NAME OF SECOND INVENTOR: DAI, Hongjie**

**INVENTOR'S SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**RESIDENCE: 365 Pescadero Terrace, Sunnyvale, CA 94086 USA**

**CITIZENSHIP: United States of America**

**POST OFFICE ADDRESS: (Same as Residence)**

**FULL NAME OF THIRD INVENTOR: HAFNER, Jason H.**

**INVENTOR'S SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**RESIDENCE: 373 Highland Ave. #203, Somerville, Massachusetts 02144 USA**

**CITIZENSHIP: United States of America**

**POST OFFICE ADDRESS: (Same as Residence)**

**FULL NAME OF FOURTH INVENTOR: RINZLER, Andrew G.**

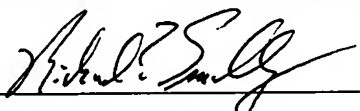
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For each of the Divisional Patent Applications, we further claim the benefit under 35 U.S.C. 120 of United States Patent Application Serial No. 10/000,746, and, insofar as the subject matter of each of the claims of any of the Divisional Patent Application is not disclosed in the this prior United States application in the manner provided by the first paragraph of 35 U.S.C. 112, we acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

**POWER OF ATTORNEY:** As named inventors, we hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

Ross Spencer Garsson, Reg. No. 38,150  
Hugh R. Kress, Reg. No. 36,574  
Robert C. Shaddox, Reg. No. 34,011  
Henry L. Ehrlich, Reg. No. 39,663  
Timothy M. Donoughue, Reg. No. 46,668  
Reece A. Scott, Reg. No. 41,297  
Edward T. Mickelson, Reg. No. 50,413

of the law firm of WINSTEAD SECHREST & MINICK P.C. Please direct all correspondence to:

Ross Spencer Garsson, Esq.  
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Austin, Texas 78701 USA

and direct all telephone calls to Ross Spencer Garsson, Esq. at 512-370-2870 and all facsimile communications to 512-370-2850.

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**FULL NAME OF FIRST INVENTOR:** COLBERT, Daniel T.

**INVENTOR'S SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**RESIDENCE:** 1911 Milford St., Houston, TX 77098 USA

**CITIZENSHIP:** United States of America

**POST OFFICE ADDRESS:** (Same as Residence)

**Attorney Docket No.**  
**11321-P011 Series**

**FULL NAME OF SECOND INVENTOR: DAI, Hongjie**

**INVENTOR'S SIGNATURE:**\_\_\_\_\_ **DATE:**\_\_\_\_\_

**RESIDENCE: 365 Pescadero Terrace, Sunnyvale, CA 94086 USA**

**CITIZENSHIP: United States of America**

**POST OFFICE ADDRESS: (Same as Residence)**

**FULL NAME OF THIRD INVENTOR: HAFNER, Jason H.**

**INVENTOR'S SIGNATURE:**\_\_\_\_\_ **DATE:**\_\_\_\_\_

**RESIDENCE: 373 Highland Ave. #203, Somerville, Massachusetts 02144 USA**

**CITIZENSHIP: United States of America**

**POST OFFICE ADDRESS: (Same as Residence)**

**FULL NAME OF FOURTH INVENTOR: RINZLER, Andrew G.**

**INVENTOR'S SIGNATURE:**\_\_\_\_\_ **DATE:**\_\_\_\_\_

**RESIDENCE: 1713 SW 186<sup>th</sup> St., Newberry, Florida 32669 USA**

**CITIZENSHIP: United States of America**

**POST OFFICE ADDRESS: (Same as Residence)**

**FULL NAME OF FIFTH INVENTOR: SMALLEY, Richard E.**

**INVENTOR'S SIGNATURE:**\_\_\_\_\_ **DATE:**\_\_\_\_\_

**RESIDENCE: 1816 Bolsover St., Houston, TX 77081 USA**

**CITIZENSHIP: United States of America**

**POST OFFICE ADDRESS: (Same as Residence)**

**Attorney Docket No.**  
**11321-P011 Series**

**FULL NAME OF SIXTH INVENTOR: JIE LIU**

**INVENTOR'S SIGNATURE:** 

**DATE:** 02/21/03

**RESIDENCE:** ~~5825 Gulton, Apartment 3214~~  
~~Houston, Texas 77081~~

~~502 Westminster Drive~~  
~~Chapel Hill, North Carolina 27514~~

*HL 02/21/03*

**CITIZENSHIP: U.S.A.**

**POST OFFICE ADDRESS: (Same as Residence)**

**FULL NAME OF SEVENTH INVENTOR: KENNETH A. SMITH**

**INVENTOR'S SIGNATURE:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**RESIDENCE: 333 Dominion, Apartment 1334**  
**Katy, Texas 77450**

**CITIZENSHIP: U.S.A.**

**POST OFFICE ADDRESS: (Same as Residence)**

**FULL NAME OF EIGHTH INVENTOR: TING GUO**

**INVENTOR'S SIGNATURE:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**RESIDENCE: 2612 Calder Court**  
**Davis, California 95616**

**CITIZENSHIP: CHINA**

**POST OFFICE ADDRESS: (Same as Residence)**

**FULL NAME OF NINTH INVENTOR: PAVEL NIKOLAEV**

**INVENTOR'S SIGNATURE:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**RESIDENCE: 2232 1/2 TROON**  
**Houston, Texas 77019**

**CITIZENSHIP: RUSSIA**

**POST OFFICE ADDRESS: (Same as Residence)**

**Attorney Docket No.**  
**11321-P011 Series**

**FULL NAME OF TENTH INVENTOR: ANDREAS THESS**

**INVENTOR'S SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**RESIDENCE: Max-Planck-Institut Biochemie; Abteilung Molekulare,  
Strukturbiologie am Klopferspitz 189, D-82152 Martinsried, Germany**

**CITIZENSHIP: GERMANY**

**POST OFFICE ADDRESS: (Same as Residence)**

AUSTIN\_1\208783\1  
11321-P011WUC1 02/19/2003

Attorney Docket No.  
11321-P011 Series



**AMENDED DECLARATION AND POWER OF ATTORNEY FOR  
U.S. NATIONAL PHASE PATENT APPLICATION  
CLAIMING PRIORITY TO PCT APPLICATION  
(37 CFR 1.63)**

**RECEIVED**  
JUL 14 2003  
GROUP 1700

As below named inventors, we hereby declare that:

Our residence, post office address and citizenship are as stated below next to our names.

We believe that we are original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**MACROSCOPICALLY MANIPULATE NANOSCALE DEVICES MADE FROM  
NANOTUBE ASSEMBLIES**

the specification of which:

- ☐ is attached hereto; or
- ☒ was filed on November 30, 2001 as a Continuation Application Number 10/000,746 (Attorney Docket No. 11321-P011WUC1) of U.S. National Phase of 09/242,040 and PCT Application Number PCT/US97/13896 which published as WO 98/05920 on February 12, 1998, corresponding to United States Provisional Patent Application No. 60/023,732, filed August 8, 1996.

**RECEIVED**  
JUL 14 2003  
GROUP 1700

The following divisionals of United States Patent Application Serial No. 10/000,746 have been filed (the "Divisional Patent Applications"):

Appl Serial No.	Att. Docket No.	Continuity Type:	Filing Date:
10/028,231	11321-P011C1D1	Divisional	December 21, 2001
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10/027,753	11321-P011C1D4	Divisional	December 21, 2001
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10/027,670	11321-P011C1D6	Divisional	December 21, 2001
10/027,750	11321-P011C1D7	Divisional	December 21, 2001
10/027,726	11321-P011C1D8	Divisional	December 21, 2001
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**Attorney Docket No.**  
**11321-P011 Series**

Collectively, United States Patent Application Serial No. 10/000,746 and the Divisional Patent Applications are the "Applications".

We hereby state that we have reviewed and understand the contents of the above identified specifications for each of the Applications, including the claims. We hereby authorize our attorney, or his representative, to insert the Application Number, filing and amendment dates.

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Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				Yes	No
[ORIGINAL BASE/PRIORITY APPLICATION]			<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Official Filing Date  
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U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)
PCT/US97/13896	8 August 1997	WO 98/05920

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**INVENTOR'S SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**RESIDENCE:** **1911 Milford St., Houston, TX 77098 USA**

**CITIZENSHIP:** **United States of America**

**POST OFFICE ADDRESS: (Same as Residence)**

**Attorney Docket No.**  
**11321-P011 Series**

**FULL NAME OF SECOND INVENTOR: DAI, Hongjie**

**INVENTOR'S SIGNATURE:**\_\_\_\_\_ **DATE:**\_\_\_\_\_

**RESIDENCE: 365 Pescadero Terrace, Sunnyvale, CA 94086 USA**

**CITIZENSHIP: United States of America**

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**FULL NAME OF THIRD INVENTOR: HAFNER, Jason H.**

**INVENTOR'S SIGNATURE:**\_\_\_\_\_ **DATE:**\_\_\_\_\_

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**CITIZENSHIP: United States of America**

**POST OFFICE ADDRESS: (Same as Residence)**

**FULL NAME OF FOURTH INVENTOR: RINZLER, Andrew G.**

**INVENTOR'S SIGNATURE:**\_\_\_\_\_ **DATE:**\_\_\_\_\_

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**POST OFFICE ADDRESS: (Same as Residence)**

**FULL NAME OF FIFTH INVENTOR: SMALLEY, Richard E.**

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**Attorney Docket No.**  
**11321-P011 Series**

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**Houston, Texas 77081**

**CITIZENSHIP: U.S.A.**

**POST OFFICE ADDRESS: (Same as Residence)**

**FULL NAME OF SEVENTH INVENTOR: KENNETH A. SMITH**

**INVENTOR'S SIGNATURE:** Kenneth A. Smith **DATE:** 2-25-03

**RESIDENCE: 333 Dominion, Apartment 1334**  
**Katy, Texas 77450**

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AUSTIN\_1\208783\1  
11321-P011WUC1 02/19/2003

Attorney Docket No.  
11321-P011 Series



AMENDED DECLARATION AND POWER OF ATTORNEY FOR  
U.S. NATIONAL PHASE PATENT APPLICATION  
CLAIMING PRIORITY TO PCT APPLICATION  
(37 CFR 1.63)

RECEIVED  
JUL 14 2003  
GROUP 1700

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the specification of which:

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RECEIVED  
JUL 9 2003  
MAIL ROOM

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POST OFFICE ADDRESS: (Same as Residence)

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FULL NAME OF THIRD INVENTOR: HAFNER, Jason H.

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INVENTOR'S SIGNATURE: \_\_\_\_\_

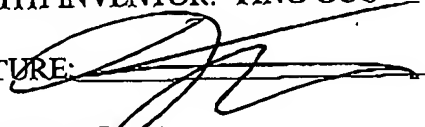
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**INVENTOR'S SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_**

**RESIDENCE: Max-Planck-Institut Biochemie; Abteilung Molekulare,  
Strukturbiologie am Klopferspitz 189, D-82152 Martinsried, Germany**

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10/027,668	11321-P011CD10	Divisional	December 21, 2001
10/027,568	11321-P011CD11	Divisional	December 21, 2001

We further believe that we are original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the inventions of these Divisional Patent Applications.

**Attorney Docket No.  
11321-P011 Series**

Collectively, United States Patent Application Serial No. 10/000,746 and the Divisional Patent Applications are the "Applications".

We hereby state that we have reviewed and understand the contents of the above identified specifications for each of the Applications, including the claims. We hereby authorize our attorney, or his representative, to insert the Application Number, filing and amendment dates.

We acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 CFR 1.56.

We hereby claim foreign priority benefits for each of the Applications under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				Yes	No
[ORIGINAL BASE/PRIORITY APPLICATION]			<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

We hereby claim the benefit for each of the Applications under 35 U.S.C. 119(e) of any United States provisional application(s) listed below:

Application No.  
60/023,732

Official Filing Date  
August 8, 1996

We hereby claim the benefit for each of the Applications under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, We acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)
PCT/US97/13896	8 August 1997	WO 98/05920

**Attorney Docket No.  
11321-P011 Series**

For each of the Divisional Patent Applications, we further claim the benefit under 35 U.S.C. 120 of United States Patent Application Serial No. 10/000,746, and, insofar as the subject matter of each of the claims of any of the Divisional Patent Application is not disclosed in the this prior United States application in the manner provided by the first paragraph of 35 U.S.C. 112, we acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

**POWER OF ATTORNEY:** As named inventors, we hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

Ross Spencer Garsson, Reg. No. 38,150  
Hugh R. Kress, Reg. No. 36,574  
Robert C. Shaddox, Reg. No. 34,011  
Henry L. Ehrlich, Reg. No. 39,663  
Timothy M. Donoughue, Reg. No. 46,668  
Reece A. Scott, Reg. No. 41,297  
Edward T. Mickelson, Reg. No. 50,413

of the law firm of WINSTEAD SECHREST & MINICK P.C. Please direct all correspondence to:

Ross Spencer Garsson, Esq.  
WINSTEAD SECHREST & MINICK P.C.  
100 Congress Avenue, Suite 800  
Austin, Texas 78701 USA

and direct all telephone calls to Ross Spencer Garsson, Esq. at 512-370-2870 and all facsimile communications to 512-370-2850.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**FULL NAME OF FIRST INVENTOR:** COLBERT, Daniel T.

**INVENTOR'S SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**RESIDENCE:** 1911 Milford St., Houston, TX 77098 USA

**CITIZENSHIP:** United States of America

**POST OFFICE ADDRESS:** (Same as Residence)

**Attorney Docket No.**  
**11321-P011 Series**

**FULL NAME OF SECOND INVENTOR: DAI, Hongjie**

**INVENTOR'S SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**RESIDENCE: 365 Pescadero Terrace, Sunnyvale, CA 94086 USA**

**CITIZENSHIP: United States of America**

**POST OFFICE ADDRESS: (Same as Residence)**

**FULL NAME OF THIRD INVENTOR: HAFNER, Jason H.**

**INVENTOR'S SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**RESIDENCE: 373 Highland Ave. #203, Somerville, Massachusetts 02144 USA**

**CITIZENSHIP: United States of America**

**POST OFFICE ADDRESS: (Same as Residence)**

**FULL NAME OF FOURTH INVENTOR: RINZLER, Andrew G.**

**INVENTOR'S SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**RESIDENCE: 1713 SW 186<sup>th</sup> St., Newberry, Florida 32669 USA**

**CITIZENSHIP: United States of America**

**POST OFFICE ADDRESS: (Same as Residence)**

**FULL NAME OF FIFTH INVENTOR: SMALLEY, Richard E.**

**INVENTOR'S SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**RESIDENCE: 1816 Bolsover St., Houston, TX 77081 USA**

**CITIZENSHIP: United States of America**

**POST OFFICE ADDRESS: (Same as Residence)**

Attorney Docket No.  
11321-P011 Series

FULL NAME OF SIXTH INVENTOR: **JIE LIU**

INVENTOR'S SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

RESIDENCE: **5825 Gulfton, Apartment 3214  
Houston, Texas 77081**

CITIZENSHIP: **U.S.A.**

POST OFFICE ADDRESS: **(Same as Residence)**

FULL NAME OF SEVENTH INVENTOR: **KENNETH A. SMITH**

INVENTOR'S SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

RESIDENCE: **333 Dominion, Apartment 1334  
Katy, Texas 77450**

CITIZENSHIP: **U.S.A.**

POST OFFICE ADDRESS: **(Same as Residence)**

FULL NAME OF EIGHTH INVENTOR: **TING GUO**

INVENTOR'S SIGNATURE: \_\_\_\_\_

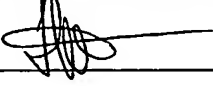
DATE: \_\_\_\_\_

RESIDENCE: **2612 Calder Court  
Davis, California 95616**

CITIZENSHIP: **CHINA**

POST OFFICE ADDRESS: **(Same as Residence)**

FULL NAME OF NINTH INVENTOR: **PAVEL NIKOLAEV**

INVENTOR'S SIGNATURE:  \_\_\_\_\_

DATE: **2.21.03**

RESIDENCE: **2232 1/2 TROON  
Houston, Texas 77019**

**614 Kipling #9  
Houston, TX 77006 PN**

CITIZENSHIP: **RUSSIA**

POST OFFICE ADDRESS: **(Same as Residence)**

**Attorney Docket No.**  
**11321-P011 Series**

**FULL NAME OF TENTH INVENTOR: ANDREAS THESS**

**INVENTOR'S SIGNATURE:\_\_\_\_\_ DATE:\_\_\_\_\_**

**RESIDENCE: Max-Planck-Institut Biochemie; Abteilung Molekulare,  
Strukturbiologie am Klopferspitz 189, D-82152 Martinsried, Germany**

**CITIZENSHIP: GERMANY**

**POST OFFICE ADDRESS: (Same as Residence)**

AUSTIN\_112087831  
11321-P011WUC1 02/19/2003

Attorney Docket No.  
11321-P011 Series



**AMENDED DECLARATION AND POWER OF ATTORNEY FOR  
U.S. NATIONAL PHASE PATENT APPLICATION  
CLAIMING PRIORITY TO PCT APPLICATION  
(37 CFR 1.63)**

RECEIVED  
JUL 14 2003  
GROUP 1700

As below named inventors, we hereby declare that:

Our residence, post office address and citizenship are as stated below next to our names.

We believe that we are original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**MACROSCOPICALLY MANIPULATE NANOSCALE DEVICES MADE FROM  
NANOTUBE ASSEMBLIES**

the specification of which:

- ☐ is attached hereto; or
- ☒ was filed on November 30, 2001 as a Continuation Application Number 10/000,746 (Attorney Docket No. 11321-P011WUC1) of U.S. National Phase of 09/242,040 and PCT Application Number PCT/US97/13896 which published as WO 98/05920 on February 12, 1998, corresponding to United States Provisional Patent Application No. 60/023,732, filed August 8, 1996.

The following divisionals of United States Patent Application Serial No. 10/000,746 have been filed (the "Divisional Patent Applications"):

Appl. Serial No.	Att. Docket No.	Continuity Type:	Filing Date:
10/028,231	11321-P011C1D1	Divisional	December 21, 2001
10/027,671	11321-P011C1D2	Divisional	December 21, 2001
10/038,204	11321-P011C1D3	Divisional	December 21, 2001
10/027,753	11321-P011C1D4	Divisional	December 21, 2001
10/036,684	11321-P011C1D5	Divisional	December 21, 2001
10/027,670	11321-P011C1D6	Divisional	December 21, 2001
10/027,750	11321-P011C1D7	Divisional	December 21, 2001
10/027,726	11321-P011C1D8	Divisional	December 21, 2001
10/027,628	11321-P011C1D9	Divisional	December 21, 2001
10/027,668	11321-P011CD10	Divisional	December 21, 2001
10/027,568	11321-P011CD11	Divisional	December 21, 2001

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**Attorney Docket No.**  
**11321-P011 Series**

Collectively, United States Patent Application Serial No. 10/000,746 and the Divisional Patent Applications are the "Applications".

We hereby state that we have reviewed and understand the contents of the above identified specifications for each of the Applications, including the claims. We hereby authorize our attorney, or his representative, to insert the Application Number, filing and amendment dates.

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				Yes	No
[ORIGINAL BASE/PRIORITY APPLICATION]			<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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Application No.  
60/023,732

Official Filing Date  
August 8, 1996

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U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)
PCT/US97/13896	8 August 1997	WO 98/05920

**Attorney Docket No.  
11321-P011 Series**

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Robert C. Shaddox, Reg. No. 34,011  
Henry L. Ehrlich, Reg. No. 39,663  
Timothy M. Donoughue, Reg. No. 46,668  
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of the law firm of WINSTEAD SECHREST & MINICK P.C. Please direct all correspondence to:

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Austin, Texas 78701 USA

and direct all telephone calls to Ross Spencer Garsson, Esq. at 512-370-2870 and all facsimile communications to 512-370-2850.

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**FULL NAME OF FIRST INVENTOR:** COLBERT, Daniel T.

**INVENTOR'S SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**RESIDENCE:** 1911 Milford St., Houston, TX 77098 USA

**CITIZENSHIP:** United States of America

**POST OFFICE ADDRESS:** (Same as Residence)

**Attorney Docket No.**  
**11321-P011 Series**

**FULL NAME OF SECOND INVENTOR: DAI, Hongjie**

**INVENTOR'S SIGNATURE:**\_\_\_\_\_ **DATE:**\_\_\_\_\_

**RESIDENCE: 365 Pescadero Terrace, Sunnyvale, CA 94086 USA**

**CITIZENSHIP: United States of America**

**POST OFFICE ADDRESS: (Same as Residence)**

**FULL NAME OF THIRD INVENTOR: HAFNER, Jason H.**

**INVENTOR'S SIGNATURE:**\_\_\_\_\_ **DATE:**\_\_\_\_\_

**RESIDENCE: 373 Highland Ave. #203, Somerville, Massachusetts 02144 USA**

**CITIZENSHIP: United States of America**

**POST OFFICE ADDRESS: (Same as Residence)**

**FULL NAME OF FOURTH INVENTOR: RINZLER, Andrew G.**

**INVENTOR'S SIGNATURE:**\_\_\_\_\_ **DATE:**\_\_\_\_\_

**RESIDENCE: 1713 SW 186<sup>th</sup> St., Newberry, Florida 32669 USA**

**CITIZENSHIP: United States of America**

**POST OFFICE ADDRESS: (Same as Residence)**

**FULL NAME OF FIFTH INVENTOR: SMALLEY, Richard E.**

**INVENTOR'S SIGNATURE:**\_\_\_\_\_ **DATE:**\_\_\_\_\_

**RESIDENCE: 1816 Bolsover St., Houston, TX 77081 USA**

**CITIZENSHIP: United States of America**

**POST OFFICE ADDRESS: (Same as Residence)**

**Attorney Docket No.**  
**11321-P011 Series**

**FULL NAME OF SIXTH INVENTOR: JIE LIU**

**INVENTOR'S SIGNATURE:**\_\_\_\_\_ **DATE:**\_\_\_\_\_

**RESIDENCE: 5825 Gulfton, Apartment 3214**  
**Houston, Texas 77081**

**CITIZENSHIP: U.S.A.**

**POST OFFICE ADDRESS: (Same as Residence)**

**FULL NAME OF SEVENTH INVENTOR: KENNETH A. SMITH**

**INVENTOR'S SIGNATURE:**\_\_\_\_\_ **DATE:**\_\_\_\_\_

**RESIDENCE: 333 Dominion, Apartment 1334**  
**Katy, Texas 77450**

**CITIZENSHIP: U.S.A.**

**POST OFFICE ADDRESS: (Same as Residence)**

**FULL NAME OF EIGHTH INVENTOR: TING GUO**

**INVENTOR'S SIGNATURE:**\_\_\_\_\_ **DATE:**\_\_\_\_\_

**RESIDENCE: 2612 Calder Court**  
**Davis, California 95616**

**CITIZENSHIP: CHINA**

**POST OFFICE ADDRESS: (Same as Residence)**

**FULL NAME OF NINTH INVENTOR: PAVEL NIKOLAEV**

**INVENTOR'S SIGNATURE:**\_\_\_\_\_ **DATE:**\_\_\_\_\_

**RESIDENCE: 2232 ½ TROON**  
**Houston, Texas 77019**

**CITIZENSHIP: RUSSIA**

**POST OFFICE ADDRESS: (Same as Residence)**

Attorney Docket No.  
11321-P011 Series

FULL NAME OF TENTH INVENTOR: ANDREAS THESS

INVENTOR'S SIGNATURE: Andreas Thess DATE: 02/26/2003

RESIDENCE: Max-Planck-Institut Biochemie; Abteilung Molekulare, \*  
Strukturbiologie am Klopferspitz 189, D-82152 Martinsried, Germany

CITIZENSHIP: GERMANY

POST OFFICE ADDRESS: (Same as Residence)

AUSTIN\_112087831  
11321-P011WUC1 02/19/2003

\*  
Andreas Thess' residence:

Andreas Kemmler Weg 3      02/26/2003  
72127 Kusterdingen      Th  
Germany